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Law Offices  
BESOZZI & GAVIN

1901 L Street, N.W., Suite 200  
Washington, D.C. 20036

MAR 26 1991

Federal Communications Commission  
Office of the Secretary

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AUDIO SERVICES  
DIVISION

(202) 293-7405  
Telecopier: (202) 457-0443

Paul C. Besozzi

March 26, 1991

Ms. Donna R. Searcy  
Secretary  
Federal Communications Commission  
1919 M Street, N.W. Room 222  
Washington, D.C. 20554


Re: FAA Clearance for Eicher Communications, Inc.  
File No. BPH-910213MF

Dear Ms. Searcy:


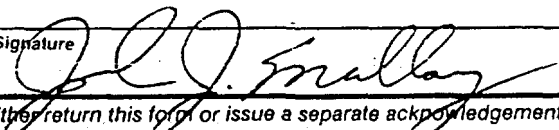

Eicher Communications, Inc. ("Eicher"), an applicant for a new FM station at Bethany Beach, Delaware, herewith submits an original and two copies of the received acknowledgement from the Federal Aviation Administration that Eicher's proposed transmitter site has been determined not to be a hazard to air navigation.

Kindly incorporate this document with the Eicher application. Please contact the undersigned counsel if there are any questions.

Respectfully submitted,

  
Stephen Diaz Gavin  
Paul C. Besozzi  
Counsel for Eicher Communications, Inc.

Enclosure  
0745/faa.1tr

 US Department of Transportation Federal Aviation Administration		<b>NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION</b> <b>Eastern Region</b>		Aeronautical Study Number <b>91-AEA-0180-OE</b>	
<b>1. Nature of Proposal</b> A. Type <input type="checkbox"/> New Construction <input type="checkbox"/> Alteration B. Class <input type="checkbox"/> Permanent <input type="checkbox"/> Temporary (Duration _____ months) C. Work Schedule Dates Beginning <b>TBD</b> End _____			<b>2. Complete Description of Structure</b> A. Include effective radiated power and assigned frequency of all existing, proposed or modified AM, FM, or TV broadcast stations utilizing this structure. B. Include size and configuration of power transmission lines and their supporting towers in the vicinity of FAA facilities and public airports. C. Include information showing site orientation, dimensions, and construction materials of the proposed structure.  <b>FM Ch. 278A</b>  <b>103.1 mHz</b>  <b>3000 Watts</b>  <b>3 Bay Antenna</b>  <i>(if more space is required, continue on a separate sheet.)</i>		
<b>3A. Name and address of individual, company, corporation, etc. proposing the construction or alteration.</b> (Number, Street, City, State and Zip Code) <b>(202) 363-9667</b> area code Telephone Number <b>Elaine Eicher</b> <b>Eicher Communications, Inc.</b> <b>4360 Van Ness Street, N.W.</b> <b>Washington, DC 20016</b> Federal Communications Commission Office of the Secretary			<b>3B. Name, address and telephone number of proponent's representative if different than 3 above.</b> <b>John J. Mullaney</b> <b>Mullaney Engineering, Inc.</b> <b>9049 Shady Grove Court</b> <b>Gaithersburg, MD 20877</b> (301) 921-0115		
<b>4. Location of Structure</b> A. Coordinates (To nearest second) <b>38° 34' 21"</b> Latitude <b>75° 06' 58"</b> Longitude B. Nearest City or Town, and State <b>Bethany Beach, DE</b> C. Name of nearest airport, heliport, flight park, or seaplane base <b>Cozy Cove</b> (1) Distance to 4B <b>3.9</b> Miles (2) Direction to 4B <b>S.E.</b> (1) Distance from structure to nearest point of nearest runway <b>3.7 Mi.</b> (2) Direction from structure to airport <b>North</b>			<b>5. Height and Elevation</b> (Complete to the nearest foot) A. Elevation of site above mean sea level <b>6</b> B. Height of Structure including all appurtenances and lighting (if any) above ground, or water if so situated <b>347</b> C. Overall height above mean sea level (A + B) <b>353</b>		
D. Description of location of site with respect to highways, streets, airports, prominent terrain features, existing structures, etc. Attach a U.S. Geological Survey quadrangle map or equivalent showing the relationship of construction site to nearest airport(s). <i>(if more space is required, continue on a separate sheet of paper and attach to this notice.)</i>  <b>See Attached Topo &amp; Aero Maps and Tower Sketch</b>					
Notice is required by Part 77 of the Federal Aviation Regulations (14 C.F.R. Part 77) pursuant to Section 1101 of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1101). Persons who knowingly and willingly violate the Notice requirements of Part 77 are subject to a fine (criminal penalty) of not more than \$500 for the first offense and not more than \$2,000 for subsequent offenses, pursuant to Section 902(a) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1472(a)).					
I HEREBY CERTIFY that all of the above statements made by me are true, complete, and correct to the best of my knowledge. In addition, I agree to obstruction mark and/or light the structure in accordance with established marking & lighting standards if necessary.					
Date <b>02/08/91</b>		Typed Name/Title of Person Filing Notice <b>John J. Mullaney, Consulting Engr.</b>		Signature 	
<b>FOR FAA USE ONLY</b>					
<b>The Proposal:</b> <input type="checkbox"/> Does not require a notice to FAA. <input checked="" type="checkbox"/> Is not identified as an obstruction under any standard of FAR, Part 77, Subpart C, and would not be a hazard to air navigation. <input type="checkbox"/> Is identified as an obstruction under the standards of FAR, Part 77, Subpart C, but would not be a hazard to air navigation. <input checked="" type="checkbox"/> Should be obstruction marked, lighted per FAA Advisory Circular 70/7460-1, Chapter(s) <b>3, 4, 5 AND 9</b> <input type="checkbox"/> Obstruction marking and lighting are not necessary.			<b>Supplemental Notice of Construction</b> FAA Form 7460-2 is required any time the project is abandoned, or <input checked="" type="checkbox"/> At least 48 hours before the start of construction. <input checked="" type="checkbox"/> Within five days after the construction reaches its greatest height. This determination expires on <b>09/15/91</b> unless: (a) extended, revised or terminated by the issuing office; (b) the construction is subject to the licensing authority of the Federal Communications Commission and an application for a construction permit is made to the FCC on or before the above expiration date. In such case the determination expires on the date prescribed by the FCC for completion of construction, or on the date the FCC denies the application. NOTE: Request for extension of the effective period of this determination must be postmarked or delivered to the issuing office at least 15 days prior to the expiration date. If the structure is subject to the licensing authority of the FCC, a copy of this determination will be sent to that Agency.		
Remarks: <b>FCC</b>					
Issued In <b>AEA 530 JAMAICA NY</b>		Signature 		Date <b>03/18/91</b>	

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JUL 31 1991

US Department  
of TransportationFederal Aviation  
Administration

*New Fm  
Bethany Beach, DE*

Eastern Region

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARYFitzgerald Federal Building  
John F. Kennedy  
International Airport  
Jamaica, New York 11430

## ACKNOWLEDGEMENT OF NOTICE OF PROPOSED CONSTRUCTION OR ALTERATION

CITY	STATE	LATITUDE/LONGITUDE		MSL	AGL	AMSL
MILLVILLE	DE	38-34-21.00	075-06-58.00	5	345	350

JEFFREY SCOTT  
RUBIN, BEDNAREK & ASSOCIATES  
1350 CONNECTICUT AVE., NW, STE 610  
WASHINGTON, D.C. 20036

AERONAUTICAL STUDY  
No: 91-AEA-0974-OE

Type Structure: ANTENNA TOWER 103.5 MHZ 3 KW ERP ONLY

The Federal Aviation Administration hereby acknowledges receipt of notice dated 06/27/91 concerning the proposed construction or alteration contained herein.

A study has been conducted under the provisions of Part 77 of the Federal Aviation Regulations to determine whether the proposed construction would be an obstruction to air navigation, whether it should be marked and lighted to enhance safety in air navigation, and whether supplemental notice of start and completion of construction is required to permit timely charting and notification to airmen. The findings of that study are as follows:

The proposed construction would not exceed FAA obstruction standards and would not be a hazard to air navigation. However, the following applies to the construction proposed:

The structure should be obstruction marked and lighted per FAA Advisory Circular AC 70/7460-1, 'Obstruction Marking and Lighting'. CHAPTERS: ~~X~~1-3 ~~X~~4 ~~X~~5 []-6 []-7 []-8 ~~X~~9.

Supplemental notice is required at least 48 hours before the start of construction and within five days after construction reaches its greatest height (use the enclosed FAA form).

This determination expires on 01/22/92 unless application is made, (if subject to the licensing authority of the Federal Communications Commission), to the FCC before that date, or it is otherwise extended, revised or terminated.

If the structure is subject to the licensing authority of the FCC, a copy of this acknowledgement will be sent to that Agency.

NOTICE IS REQUIRED ANYTIME THE PROJECT IS ABANDONED OR THE PROPOSAL IS MODIFIED

SIGNED Frank T. Jordan Specialist, Systems Management Branch  
Frank T. Jordan (718)917-1230/1228  
ISSUED IN: Jamaica, New York ON 07/23/91